



Practitioner's Docket No.: 281\_345

PATENT

2872

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Steven R. Slawson

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JUL 02 2004

Serial No.: 09/783,224

June 24, 2004

Art Unit: 2872

Filed: February 14, 2001

Examiner: Nguyen, Thong Q.

TECH CENTER 2800

For: EYE VIEWING DEVICE COMPRISING EYE CUP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 24, 2004.

  
Christine M. Holmes

STATUS INQUIRY

Sir:

This is an inquiry as to the status of the subject case.

On March 14, 2003 a Final Rejection was given and on April 28, 2003 an Amendment after Final was submitted in connection with the subject application. In turn, the Patent Office responded with an Advisory Action on May 13, 2003 indicating that "Newly proposed or amended claims 6-10, 18-22, 28 and 30 would be allowable if submitted in a separate, timely filed Amendment canceling the non-allowable claims". On June 10, 2003 an Amendment was so submitted canceling the non-allowable claims. A copy of that amendment is enclosed herewith for the convenience of the Office. On June 11, 2003 an Information Disclosure Statement was submitted in connection with the subject case. No response has been received from the Patent Office since the Advisory Action on May 13, 2003.

In a telephone conversation with Examiner Thong Q. Nguyen on Thursday, June 24, 2004, Examiner Nguyen indicated that the files of the present case were transferred into the Electronic Database, and that he therefore had no file to refer to. He further indicated that he could not find the information that would indicate the status of the case. He therefore suggested that I write a letter to the Patent Office to inquire as to the status of the present case.

I would therefore appreciate a response at your earliest convenience.  
If the Patent Office wishes to expedite disposition of the above-captioned  
patent application, he is invited to contact Applicant's representative at the telephone  
number below.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

By: 

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Amendment and Response for:

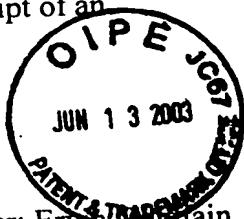
(281-345 - June 10, 2003) GSB/ts

Steven R. Slawson; Chris R. Roberts; Allan I. Krauter; Ervin Goldfain  
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JUN 28 2004

Practitioner's Docket No.: 281\_345

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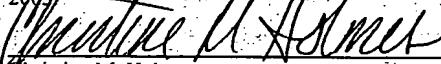
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Examiner: Nguyen, Thong Q.

For: EYE VIEWING DEVICE COMPRISING EYE CUP

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Christine M. Holmes

AMENDMENT AND RESPONSE

Sir:

In response to the Office Action mailed from the United States Patent and Trademark Office on May 13, 2003, please enter in the above-captioned patent application the Amendments presented herein, and please consider the Remarks that follow. Applicant believes that no fees are due on account of the submission of this paper. However, if Applicant is incorrect and fees are due, the Director is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0289. Applicant has elected to format this response according to the Revised Amendment Format published on the web site of the United States Patent and Trademark Office on January 31, 2003.

**AMENDMENTS TO THE CLAIMS**

1. (Cancelled)

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Previously Amended) An eye viewing device comprising:

a housing having a patient end and an observer end;

an eye cup disposed at said patient end, said eye cup having a patient end being sized such that its outer edge substantially corresponds to an eye orbit of a patient, wherein said eye orbit is generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said eye cup comprises a plurality of deformable bellows.

7. (Previously Amended) An eye viewing device comprising:

a housing having a patient end and an observer end;

an eye cup disposed at said patient end, said eye cup having a patient end being sized such that its outer edge substantially corresponds to an eye orbit of a patient, wherein said eye orbit is generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said eye cup is adapted to pivot substantially about a patient end of said eye cup.

8. (Previously Amended) An eye viewing device comprising:

a housing having a patient end and an observer end;

an eye cup disposed at said patient end, said eye cup having a patient end being sized such that its outer edge substantially corresponds to an eye orbit of a

patient, wherein said eye orbit is generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said eye cup is adapted to pivot substantially about a patient's pupil when said device is in an operative position.

9. (Previously Amended) An eye viewing device comprising:

a housing having a patient end and an observer end;

an eye cup disposed at said patient end, said eye cup having a patient end being sized such that its outer edge substantially corresponds to an eye orbit of a patient, wherein said eye orbit is generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said eye cup comprises a plurality of bellows wherein walls of said bellows are formed progressively thinner toward said patient end of said eye cup so that pivoting occurs substantially toward a patient end of said eye cup.

10. (Previously Amended) An eye viewing device comprising:

a housing having a patient end and an observer end;

an eye cup disposed at said patient end, said eye cup having a patient end being sized such that its outer edge substantially corresponds to an eye orbit of a patient, wherein said eye orbit is generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said eye cup comprises a plurality of bellows, wherein walls of said bellows are formed progressively thinner toward said a patient end of said eye cup so that pivoting occurs substantially about a patient's pupil when said device is in an operative position.

11. (Cancelled)

12. (Cancelled)

13. (Cancelled)

14. (Cancelled)

15. (Cancelled)

16. (Cancelled)

17. (Cancelled)

18. (Previously Amended) An apparatus for aiding in the positioning of an eye viewing device relative to a patient, said apparatus comprising:

a device end adapted to be attached to a patient end of said eye viewing device;

a patient end adapted to be received at an eye orbit of said patient, wherein said patient end of said apparatus is sized such that its outer edge corresponds to an eye orbit of a patient, said eye orbit being generally defined by an eyebrow and an upper portion of a cheekbone of said patient and

wherein said apparatus comprises a plurality of deformable bellows.

19. (Previously Amended) An apparatus for aiding in the positioning of an eye viewing device relative to a patient, said apparatus comprising:

a device end adapted to be attached to a patient end of said eye viewing device;

a patient end adapted to be received at an eye orbit of said patient, wherein said patient end of said apparatus is sized such that its outer edge corresponds to an eye orbit of a patient, said eye orbit being generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said apparatus adapted to pivot substantially about said patient end of said apparatus.

20. (Previously Amended) An apparatus for aiding in the positioning of an eye viewing device relative to a patient, said apparatus comprising:

a device end adapted to be attached to a patient end of said eye viewing device;

a patient end adapted to be received at an eye orbit of said patient, wherein said patient end of said apparatus is sized such that its outer edge corresponds to an eye orbit of a patient, said eye orbit being generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said apparatus is adapted to pivot about a pivot point defined substantially about a patient's pupil when said device is in an operative position.

21. (Previously Amended) An apparatus for aiding in the positioning of an eye viewing device relative to a patient, said apparatus comprising:

a device end adapted to be attached to a patient end of said eye viewing device;

a patient end adapted to be received at an eye orbit of said patient, wherein said patient end of said apparatus is sized such that its outer edge corresponds to an eye orbit of a patient, said eye orbit being generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said apparatus comprises a plurality of bellows wherein walls of said bellows are formed progressively thinner toward said patient end of said apparatus so that a pivot point is defined substantially toward a patient end of said apparatus.

22. (Previously Amended) An apparatus for aiding in the positioning of an eye viewing device relative to a patient, said apparatus comprising:

a device end adapted to be attached to a patient end of said eye viewing device;

a patient end adapted to be received at an eye orbit of said patient, wherein said patient end of said apparatus is sized such that its outer edge corresponds to an eye orbit of a patient, said eye orbit being generally defined by an eyebrow and an upper portion of a cheekbone of said patient; and

wherein said eye cup comprises a plurality of bellows, wherein walls of said bellows are formed progressively thinner toward said patient end of said apparatus

so that a pivot point of said apparatus is defined substantially about a patient's pupil when said device is in an operative position.

23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

26. (Cancelled)

27. (Cancelled)

28. (Previously Amended) A method for positioning an eye viewing device in an operative position relative to a patient, said eye viewing device having a patient end, said method comprising the steps of:

providing a spacer on said patient end of said eye viewing device;

moving said device toward said patient at least until said spacer contacts said patient at the eyebrow and upper cheekbone area; and

wherein said providing step includes the step of providing a spacer configured to pivot toward a patient end of said spacer so that said spacer facilitates angular adjustment of said device while an operative position is maintained.

29. (Cancelled)

30. (Previously Amended) A retinal viewing device comprising:  
a housing having an operator end and a patient end;  
an attachment interface formed at said patient end adapted to detachably receive an attachment;  
said attachment consisting of a lens assembly and an optical filter assembly;  
and

wherein said attachment interface comprises a lip, and wherein said attachment comprises at least one rib.

31. (Cancelled)

32. (Cancelled)

33. (Cancelled)

34. (Cancelled)

35. (Cancelled)

36. (Cancelled)